

Docket No. 94100411(EP)USC1X1C1C1 PDDD
USSN: 09/689,120

PATENT
Art Unit: 2613

REMARKS

This Amendment is in response to the Advisory Action mailed October 19, 2005. In the Advisory Action, the Examiner allowed claims 1-4 which subject to a terminal disclaimer and rejected claims 5-12 and 16-41.

Applicant has cancelled claims 5-41. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

I. REJECTIONS UNDER 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 5, 7, 10-31, 22-25, and 37-39 under 35 U.S.C. §102(e) as being anticipated by Acampora, et. al, (US Patent # 5,168,356). Applicant has cancelled claims 5-12 and 16-41. The prior rejections under 35 U.S.C. §102(e) are now moot.

II. REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected claims 6 and 8-9 under 35 U.S.C. §103(a) as being unpatentable over Acampora, in view of Ackland, et. al, (US Patent #5,220,325); the Examiner also rejected claims 32, 36, 40, and 41 under 35 U.S.C. §103(a) as being unpatentable over Acampora, in view of Galbi et. al, (US Patent #5,870,497). Applicant has cancelled claims 6, 8-9, 32, 36, 40 and 41. The prior rejections under 35 U.S.C. §103(a) are now moot.

Docket No. 94100411(EP)USC1X1C1C1 PDDD
USSN: 09/689,120

PATENT
Art Unit: 2613

III. **DOUBLE PATENTING**

The Applicants submits a Terminal Disclaimer for the purpose of overcoming the double patenting rejection of U.S. Patent 6,330,666. However, Applicants do not admit to any characterization or limitation of the claims by the Examiner, particularly any that are inconsistent with the language of the claims considered in their entirety and including all of their constituent limitations.

Docket No. 94100411(EP)USC1X1C1C1 PDDD
USSN: 09/689,120

PATENT
Art Unit: 2613

CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,

DISCOVISION ASSOCIATES



Dated: 11/11/05

Micah P. Goldsmith, Esq.
Reg. No. 43,638

DISCOVISION ASSOCIATES
INTELLECTUAL PROPERTY DEVELOPMENT
P. O. BOX 19616
IRVINE, CA 92623
(949) 660-5000

P:\ABG\PPD\PDD\941004-1\EP\US\1X1C1C1\amend_04_Adv Action.doc